

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.<sup>1</sup>,  
Debtors.

Chapter 11

Case No.: 08-35653-KRH

Jointly Administered

**MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS FOR AN ORDER CLARIFYING REQUIREMENT  
TO PROVIDE ACCESS TO CONFIDENTIAL OR PRIVILEGED INFORMATION**

The Official Committee of Unsecured Creditors (the “Committee”) of Circuit City Stores, Inc., et al. (the “Debtors”) hereby move this Court (the “Motion”) for entry of an order pursuant to sections 105(a), 107(b), and 1102(b)(3)(A) of title 11 of the United States Code (as amended, the “Bankruptcy Code”) and Rule 9018 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), clarifying the requirement of the Committee to provide access to

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. is 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address is 9950 Mayland Drive, Richmond, Virginia 23233.

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Proposed Co-Counsel for the Official  
Committee of Unsecured Creditors

confidential or privileged information to creditors. In support of the Motion, the Official Committee respectfully states as follows:

**Jurisdiction**

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are sections 105(a), 107(b) and 1102 of the Bankruptcy Code.

**Background**

3. On November 10, 2008 (the “Petition Date”) the Debtors filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). Pursuant to sections 1107 and 1108 of the Bankruptcy Code, the Debtors are continuing to operate their businesses and manage their properties as debtors in possession.

4. No trustee or examiner has been appointed in the Debtors’ chapter 11 cases.

5. On November 13, 2008, the Office of the United States Trustee for the Eastern District of Virginia, Richmond Division (the “UST”) appointed the Committee to represent all unsecured creditors of the Debtors pursuant to section 1102 of the Bankruptcy Code.

**Relief Requested**

6. By this Motion, the Committee seeks entry of an order of the Court clarifying the requirement of the Committee to provide access to the Debtors' Confidential (as defined below) and/or Privileged Information (as defined below) to any creditor the Committee represents. The procedure proposed herein will help ensure that confidential, privileged, proprietary and/or material non-public information will not be disseminated to the detriment of the Debtors' estates and will aid the Committee in performing its statutory function.

**Basis for Relief**

7. On April 20, 2005, as part of the Bankruptcy Abuse Prevention & Consumer Protection Act of 2005, Congress enacted new section 1102(b)(3) of the Bankruptcy Code. That section states, in relevant part, that a creditors' committee appointed under section 1102(a) of the Bankruptcy Code shall "provide access to information for creditors who (i) hold claims of the kind represented by that committee; and (ii) are not appointed to the committee." 11 U.S.C. § 1102(b)(3)(A). New section 1102(b)(3)(A) does not indicate how a creditors' committee should provide "access to information" to the creditors it represents. There is no legislative history to section 1102(b)(3) to provide guidance on the application of this new provision.

8. The lack of specificity in new section 1102(b)(3)(A) creates significant issues for debtors and creditors' committees. Typically, a debtor will share various confidential and other non-public proprietary information with a creditors' committee (the "Confidential

Information).<sup>2</sup> Creditors' committees use this information to assess, among other things, a Debtors' capital structure, opportunities for the restructuring of the Debtors' business in chapter 11, the results of any revised operations of the debtor in the bankruptcy case, and the Debtors' overall prospects for reorganization under a chapter 11 plan. In addition, creditors' committees typically operate pursuant to written by-laws that include confidentiality provisions or enter into other similar arrangements with debtors. Through these agreements and other arrangements a debtor can ensure that a committees' members will keep its information confidential and will not use Confidential Information except in connection with these chapter 11 cases and on terms acceptable to the debtor.

9. The enactment of new section 1102(b)(3)(A) raises the issue of whether a creditors' committee could be required to share a Debtors' Confidential Information with any creditor that the committee represents. In the absence of appropriate protections for the Debtors' Confidential Information, the Debtors might be unwilling to share such information with the Committee, which would undoubtedly impede the Committee's ability to do its work and impair the working relationship between the Debtors and the Committee. Given the importance of the issue, the Committee is seeking an order of the Court confirming that section 1102(b)(3)(A) does not require the Committee in this case to provide access to the Debtors' Confidential Information

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<sup>2</sup> For purposes of this Motion, the term "Confidential Information" shall mean any nonpublic information of the Debtor, including, without limitation, documents prepared by the Debtors or their advisors or other agents containing non-public information concerning the Debtors' assets, liabilities, business operations, projections, analyses, compilations, studies which is furnished, disclosed or made known to the Committee, whether intentionally and in any manner, including in written form, orally, or through electronic, facsimile or computer-related communication. Confidential Information shall include (a) any notes, summaries, compilations, memoranda or similar written materials disclosing or discussing Confidential Information; (b) any written Confidential Information that is marked confidential by the Debtors or their agents; and (c) any other Confidential Information conveyed to the Committee orally that the Debtors or their advisors or other agents advise the Committee should be treated as confidential.

to any creditor that the Committee represents except to the extent provided by the procedure set forth below.

10. The enactment of new section 1102(b)(3)(A) also raises the issue of whether a creditors' committee could be required to share with any creditor that the Committee represents information subject to the attorney-client or some other state, federal, or other jurisdictional law privilege, whether such privilege is solely controlled by the committee or is a joint privilege with the Debtors or some other party (collectively, "Privileged Information"). Given the importance of the issue, the Committee is seeking clarification that the Committee is not required to provide access to Privileged Information to any creditor that the Committee represents except to the extent provided by the procedure set forth below. Of course, the Committee would be permitted, but not required, to provide access to Privileged Information to any party so long as (a) such Privileged Information was not Confidential Information, and (b) the relevant privilege was held and controlled solely by the Committee.

11. When a statute is clear and unambiguous, "the sole function of the courts is to enforce it according to its terms." U.S. v. Ron Pair Enters., Inc., 489 U.S. 235, 241 (1989) (quoting Caminetti v. United States, 242 U.S. 470, 485 (1917)). However, in "rare cases [in which] the literal application of a statute will produce a result demonstrably at odds with the intention of its drafters... the intention of the drafters, rather than the strict language, controls." Id. at 242-43 (citing Griffin v. Oceanic Contractors, Inc., 458 U.S. 564 (1982) (internal quotation omitted)).

12. The Committee respectfully submits that section 1102(b)(3)(A) is unclear and ambiguous. The statute simply requires a committee "to provide access to information," yet

sets forth no guidelines as to the type, kind and extent of the information to be provided. In its extreme, section 1102(b)(3)(A) could be read as requiring a committee to provide access to all information provided to it by a debtor, or developed through exercise of its investigative function, regardless of whether the information is confidential, privileged, proprietary or material non-public information and regardless of whether disseminating such information implicates securities laws disclosure requirements. See 17 C.F.R. §§243.100 to 243.103 (2005).

Accordingly, bankruptcy courts which have considered this issue have issued orders clarifying that creditors' committees are not required to provide access to confidential or privileged information. See In re Refco, Inc., 2005 WL 3543953 (Bankr. S.D.N.Y Dec. 23, 2005) (order clarifying the requirement to provide access to information pursuant to section 1102(b)(3)(A) and approving information-sharing protocol); In re FLYi, Inc., Case No. 05-20011 (MFW) (Bankr. D. Del. Nov. 17, 2005) (providing that creditors' committees are not required to provide access to confidential information of the debtors or to privileged information). Orders of this kind were entered in this District by Judge Mitchell in The Rowe Companies chapter 11 case [Case No. 06-11142-SSM, Docket No. 292] and by Judge Tice in the Movie Gallery chapter 11 case [Case No. 07-33849-DOT, Docket No. 1279].

13. As discussed above, the legislative history does not provide any further guidance on this point and merely reiterates that language of section 1102(b)(3). See H.R. Rep. No. 109-31, 109<sup>th</sup> Cong., 1<sup>st</sup> Sess. 87 (2005) ("Section 405(b) requires the committee to give creditors having claims of the kind represented by the committee access to information. In addition, the committee must solicit and receive comments for these creditors and, pursuant to court order, make additional reports and disclosures available to them.").

14. Given the ability to share information through the Internet or otherwise, the drafters of section 1102(b)(3) likely intended this provision to mean that a committee's constituency should have easier access to relevant public information about a debtor without the burden of retaining counsel to monitor the numerous proceedings within a bankruptcy case. Congress could not have intended for a committee to be required to provide unfettered access to every type and kind of information that a committee receives from a debtor. If this had been the intention, section 1102(b)(3) would then frustrate numerous provisions of the Bankruptcy Code.

15. Furthermore, section 107(b)(1) of the Bankruptcy Code provides that "on request of a party in interest, the bankruptcy court shall . . . protect an entity with respect to trade secret or confidential research, development, or commercial information."<sup>3</sup>

16. Section 107(b)(1) is mandatory. Video Software Dealers Ass'n v. Orion Pictures Corp., 21 F.3d 24, 27 (2d Cir. 1994) (providing that the protections of section 107(b)(1) are mandatory upon request). As a result, under section 107(b)(1) and Bankruptcy Rule 9018, this Court is empowered to protect the Debtors' and the Committee's Confidential Information and Privileged Information from disclosure to general creditors.

17. The Committee proposes the following protocol for providing access to information for creditors ("Creditor Information Protocol") in accordance with section 1102(b)(3)(A) and (B) of the Bankruptcy Code. The Committee may, until the earliest to occur of dissolution of the Committee, dismissal, or conversion of these chapter 11 cases, and a further order of the Court, set up and maintain a website. For the sake of efficiency and economy and

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<sup>3</sup> Section 107(b)(1) is further supported by Bankruptcy Rule 9018, which states, in relevant part, that "on motion or on its own initiative, with or without notice, the court may make any order which justice requires to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information..." Fed. R. Bankr. P. 9018.

ease of access by creditors, the Committee proposes to keep creditors informed as required by the statute by directing them to a website ([www.circuitcitycommittee.com](http://www.circuitcitycommittee.com)) it maintains with specific links for case information. Further, in fulfillment of its obligation to solicit and receive comments from general unsecured creditors as set forth in subsection 1102(b)(3)(B), the Committee's website information page(s) will include contact information for the Committee's counsel, including an email address to allow unsecured creditors to send questions and comments in connection with the case.

18. The Committee proposes that the Committee shall not be required to disseminate to any entity (all references to "entity" herein shall be as defined in section 101(15) of the Bankruptcy Code, "Entity"): (i) without further order of the Court, Confidential Information or (ii) Privileged Information. In addition, the Committee proposes that it not be required to provide access to information or solicit comments from any Entity that has not demonstrated to the satisfaction of the Committee, in its sole discretion, or to the Court, that it holds claims of the kind described in section 1102(b)(3) of the Bankruptcy Code.

19. The Committee also proposes that any information received (formally or informally) by the Committee from any Entity in connection with an examination pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure or in connection with any formal or informal discovery in any contested matter, adversary proceeding or other litigation shall not be governed by any order entered with respect to this Motion but, rather, by any order governing such discovery.

20. The public dissemination of the Debtors' Confidential Information likely would cause serious harm to the Debtors' estates. Of course, if there were a risk that



Confidential Information given by the Debtors to the Committee would have to be turned over to any creditor, the Debtors would be highly discouraged from giving Confidential Information to any Committee in the first place. In fact, the Debtors might conclude that they could not give such information to the Committee at all. The inability of the Committee to gain access to Confidential Information, in turn, could limit the ability of the Committee to fulfill its statutory obligations under the Bankruptcy Code.

21. As such, the relief sought by the Committee is not only for the benefit of the Debtors and the Committee, but for the benefit of all constituents in that it ensures the proper functioning of the chapter 11 process. Further, the Committee needs the benefit of the relief sought in this Motion to ensure that it does not breach the confidentiality provisions in its Bylaws. A creditors' committee cannot be put in a position of either violating the statute or breaching a confidentiality agreement and thereby subjecting itself to suit by the Debtors and potentially other parties.

22. Finally, the risk to the Committee of a committee having to provide access to Privileged Information to the creditors it represents creates obvious and serious problems. If the Committee believes that there could be a risk that Privileged Information would need to be turned over to such creditors, with the possible loss of the relevant privilege as that time, the entire purpose of such privilege would be eviscerated, and both the Debtors and the Committee would likely be unable to obtain the independent and unfettered advice and consultation that such privileges are designed to foster. Indeed, unless it is made clear that the risk of dissemination of Privileged Information does not exist, the estate representation structure envisioned by the Bankruptcy Code would become immediately dysfunctional.

23. The disclosure of nonpublic or privileged information to creditors will not foster a reorganization of the Debtors but will likely cause serious harm to the Debtors' estates. Therefore, pursuant to section 105(a), 107(b)(1), and 1102(b)(3)(A) of the Bankruptcy Code in order to maximize the value of the estates, the Debtors and the Committee respectfully request that the relief herein be granted.

**Notice**

24. Notice of this Motion has been given to the Core Group and the 2002 List as required by the Case Management Procedures.<sup>4</sup> In light of the nature of the relief requested, the Committee submits that no further notice is required.

**Waiver of Memorandum of Law**

25. Pursuant to Local Rule 9013-1(b), because there are no novel issues of law presented herein, the Committee respectfully requests that the Court waive the requirement that the Committee file a memorandum of law in support of this Motion.

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<sup>4</sup> Capitalized terms used in this paragraph 24 but not otherwise defined herein shall have the meanings set forth in the Notice, Case Management and Administrative Procedures established by the Order Establishing Certain Notice, Case Management and Administrative Procedures [Docket No. 130] entered on November 13, 2008.

**WHEREFORE**, the Committee respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A granting the relief requested therein, and such other and further relief as this Court deems appropriate.

Dated: December 2, 2008

*/s/ Lynn L. Tavenner*

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[Proposed] Counsel for Official Committee of Unsecured  
Creditors Holding Unsecured Claims

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 2, 2008, a true and correct copy of the above and foregoing was served by either First Class Mail, postage pre-paid and/or by electronic delivery to all of the parties on the attached Service List.

*/s/ Lynn L. Tavenner*

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.<sup>5</sup>,  
Debtors.

Chapter 11

Case No.: 08-35653-KRH

Jointly Administered

**ORDER CLARIFYING REQUIREMENT TO  
PROVIDE ACCESS TO CONFIDENTIAL  
INFORMATION OR TO PRIVILEGED INFORMATION**

Upon the Motion<sup>6</sup> filed by the Official Committee of Unsecured Creditors (the “Committee”) of Circuit City Stores, Inc., et al. (the “Debtors”), the Court has reviewed the Motion and finds that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (c) venue of these Chapter 11 Cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409, (d) notice of the Motion was sufficient under the circumstances. The Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, and it appearing that the relief requested is in the best interests of the Debtors’ estate, its creditors and other parties in interest;

**IT IS HEREBY ORDERED THAT:**

<sup>5</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. is 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address is 9950 Mayland Drive, Richmond, Virginia 23233.

<sup>6</sup> Capitalized terms used herein that are not otherwise defined shall have the meanings set forth in the Motion.

1. The Motion is GRANTED.

2. Without further order of the Court, the Committee shall not be required pursuant to section 1102(b)(3)(A) of the Bankruptcy Code to provide access to any Confidential Information<sup>7</sup> of the Debtors to any Entity except as provided in this Order (all references to “entity” herein shall be as defined in section 101(15) of the Bankruptcy Code, “Entity”).

3. Without further order of the Court, the Committee shall not be required pursuant to section 1102(b)(3)(A) of the Bankruptcy Code to provide access to any Privileged Information<sup>8</sup> to any Entity except as provided in this Order. The Committee shall be permitted, but not required, to provide access to Privileged Information to any party so long as (a) such Privileged Information is not Confidential Information, and (b) the relevant privilege is held and controlled solely by the Committee.

4. The Committee shall implement the following protocol for providing access to information for creditors (“Creditor Information Protocol”) in accordance with section 1102(b)(3)(A) and (B) of the Bankruptcy Code. The Committee shall, until the earliest to occur of dissolution of the Committee, dismissal, or conversion of these chapter 11 cases, and a further

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<sup>7</sup> For purposes of this Order, the term “Confidential Information” shall mean any nonpublic information of the Debtor, including, without limitation, documents prepared by the Debtors or their advisors or other agents containing non-public information concerning the Debtors’ assets, liabilities, business operations, projections, analyses, compilations, studies which is furnished, disclosed or made known to the Committee, whether intentionally and in any manner, including in written form, orally, or through electronic, facsimile or computer-related communication. Confidential Information shall include (a) any notes, summaries, compilations, memoranda or similar written materials disclosing or discussing Confidential Information; (b) any written Confidential Information that is marked confidential by the Debtors or their agents; and (c) any other Confidential Information conveyed to the Committee orally that the Debtors or their advisors or other agents advise the Committee should be treated as confidential.

<sup>8</sup> For the purposes of this Order, the term “Privileged Information” shall mean any information subject to the attorney-client or some other state, federal, or other jurisdictional law privilege (including attorney work product), whether such privilege is solely controlled by the Committee or is a joint privilege with the Debtors or some other party.

order of the Court, set up and maintain a website. For the sake of efficiency and economy and ease of access by creditors, the Committee proposes to keep creditors informed as required by the statute by directing them to a website ([www.circuitcitycommittee.com](http://www.circuitcitycommittee.com)) it maintains with specific links for case information. Further, in fulfillment of its obligation to solicit and receive comments from general unsecured creditors as set forth in subsection 1102(b)(3)(B), the Committee's website information page(s) will include contact information for the Committee's counsel, including an email address to allow unsecured creditors to send questions and comments in connection with the case.

5. Any information received (formally or informally) by the Committee from any Entity in connection with an examination pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure or in connection with any formal or informal discovery in any contested matter, adversary proceeding or other litigation shall not be governed by the terms of this Order but, rather, by any order governing such discovery.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

Dated: Richmond, Virginia  
\_\_\_\_\_, 2008

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United States Bankruptcy Judge

NAME	ATTENTION	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	ZIP	COUNTRY	PHONE	FAX	Email	Party/Function
CIRCUIT CITY STORES, LLC	REGINALD D. HEDGEBETH	9950 MAYLAND DRIVE			RICHMOND	VA	23233		804-486-4000	804-527-4164		Debtor
COMMONWEALTH OF VIRGINIA	STATE CORPORATION COMMISSION	TYLER BUILDING	1300 E. MAIN STREET		RICHMOND	VA	23219		804-371-9967	804-371-9734		Government Agency
CORPORATE SALES AND USE, EMPLOYER WITHHOLDING, AND LITTER TAX	VIRGINIA DEPARTMENT OF TAXATION	3600 WEST BROAD STREET			RICHMOND	VA	23230-4915		804-367-8037	804-254-6111		Government Agency
DEPARTMENT OF JUSTICE CIVIL DIVISION	ATTN: DIRECTOR	COMMERCIAL LITIGATION BRANCH	P.O. BOX 875	BEN FRANKLIN STATION	WASHINGTON	DC	20044		202-514-7164	202-307-0494		Government Agency
ENVIRONMENTAL PROTECTION AGENCY		1650 ARCH STREET			PHILADELPHIA	PA	19103-2029		215-814-2625	215-814-3005		Government Agency
ENVIRONMENTAL PROTECTION AGENCY	DIANA SAENZ	1200 PENNSYLVANIA AVENUE NW	SUITE 4209		WASHINGTON	DC	20004		202-272-0167	202-501-0461		Government Agency
ENVIRONMENTAL PROTECTION AGENCY	OFFICE OF GENERAL COUNSEL	U.S. EPA MAILCODE 2377R	1300 PENNSYLVANIA AVENUE, N.W.		WASHINGTON	DC	20004		202-564-4707	202-565-2478		Government Agency
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INTERNAL REVENUE SERVICE	ATTN L LORELLO	400 N 8TH STREET BOX 76			RICHMOND	VA	23219		804-916-8064	804-916-8198		Government Agency
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OFFICE OF THE ATTORNEY GENERAL	BOB MCDONNELL	STATE OF VIRGINIA	900 E. MAIN ST.		RICHMOND	VA	23219		804-786-2071	804-786-1991		Government Agency
OFFICE OF THE SECRETARY OF THE COMMONWEALTH		1111 EAST BROAD STREET, 4TH FLOOR			RICHMOND	VA	23219		804-786-2441	804-371-0017		Government Agency
OFFICE OF THE U.S. TRUSTEE	ROBERT B. VAN ARSDALE	701 E. BROAD ST.	SUITE 4304		RICHMOND	VA	23219-1888		804-771-2310	804-771-2330		US Trustee
OFFICE OF THE UNITED STATES TRUSTEE	RICHMOND, VIRGINIA OFFICE	600 EAST MAIN STREET, SUITE 301			RICHMOND	VA	23219		804-771-2310	804-771-2330		United States Trustee
PACHULSKI STANG ZIEHL & JONES LLP	JEFFREY N POMERANTZ ESQ	10100 SANTA MONICA BLVD 11TH FL			LOS ANGELES	CA	90067-4100		310-277-6910	310-201-0760	<a href="mailto:jpomerantz@pszjlaw.com">jpomerantz@pszjlaw.com</a>	Counsel for The Official Committee of Unsecured Creditors
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RIEMER & BRAUNSTEIN LLP	DAVID S. BERMAN	THREE CENTER PLAZA, 6TH FLOOR			BOSTON	MA	02108		617-523-9000	617-880-3456		Government Agency
SECRETARY OF TREASURY SECURITIES & EXCHANGE COMMISSION	ATTN: BANKRUPTCY UNIT	15TH & PENNSYLVANIA AVENUE, N.W.			WASHINGTON	DC	20020		202-622-2000	202-622-6415		Government Agency
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